

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

HYPERCUBE, LLC and KMC DATA, LLC)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 07-822-GMS
)	
QWEST COMMUNICATIONS)	JURY TRIAL DEMANDED
CORPORATION,)	
)	
Defendant.)	

**STIPULATION AND ORDER OF VOLUNTARY DISMISSAL
PURSUANT TO FED. R. CIV. P. 41(a)(1)(ii)**

Plaintiffs HyperCube, LLC and KMC Data, LLC and Defendant Qwest Communications Corporation (collectively, the "Parties") have settled the above-captioned action. Subject to the approval of the Court, the Parties hereby stipulate through their undersigned counsel of record to dismiss the current action pursuant Fed. R. Civ. P. 41(a)(1)(ii) as follows:

1. The Parties agree to dismissal of the action with prejudice.
2. Each Party shall bear its own costs and attorneys' fees.

WHEREFORE, the Parties respectfully request that the Court dismiss this action with prejudice.

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IT IS SO ORDERED this _____ day of _____, 2008

U.S.D.C.J.